



April 21, 2023

Andrew S. Holland
Andrew.Holland@wilsonelser.com

VIA CM/ECF

Hon. Brenda K. Sannes
Chief U.S. District Judge
P.O. Box 7336
Syracuse, NY 13261-7336

**Re: *Middleton v. CLR Troy LLC*
1:22-cv-01155-BKS-CFH
Our file: 20355.142**

Dear Judge Sannes:

This firm represents defendant CLR Troy LLC d/b/a Troy Center for Rehabilitation and Nursing in this matter. On March 20, 2023, your Honor entered an Order directing defendant to show cause why the Court should retain subject matter jurisdiction in light of recent Second Circuit precedent. We timely submitted our response on April 7, 2023. Plaintiff was given an opportunity to oppose our response, which is due today, April 21, 2023. I write, after consultation with plaintiff's counsel, to request a one-week extension of plaintiff's time to respond until April 28, 2023.

We are contemplating consenting to remand in this matter. However, we and plaintiff's counsel are preparing a stipulation concerning the parties' rights in advance of submitting such consent to the Court. To allow the parties the time to do that, we respectfully ask that the Court adjourn plaintiff's time to respond until April 28, 2023.

Thank you for the Court's consideration of this request.

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER, LLP

By: s/ Andrew S. Holland
ANDREW S. HOLLAND

cc: Napoli Shkolnik, PLLC (via CM/ECF)

200 Great Oaks Boulevard, Suite 228 | Albany, NY 12203 | p 518.449.8893 | f 518.449.8927 | wilsonelser.com

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System.Object[]